



NORTH AMERICAN ELECTRIC
RELIABILITY CORPORATION

March 30, 2011

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

**Re: NERC Abbreviated Notice of Penalty regarding California Department of Water Resources,
FERC Docket No. NP11-__-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Abbreviated Notice of Penalty (NOP) regarding California Department of Water Resources (CDWR), with information and details regarding the nature and resolution of the violation¹ discussed in detail in the Disposition Document (Attachment a), in accordance with the Federal Energy Regulatory Commission's (Commission or FERC) rules, regulations and orders, as well as NERC Rules of Procedure including Appendix 4C (NERC Compliance Monitoring and Enforcement Program (CMEP)).²

This NOP is being filed with the Commission because CDWR does not dispute the violation of PRC-005-1 Requirement (R) 2.1 and the assessed eleven thousand nine-hundred dollar (\$11,900) penalty. Accordingly, the violation identified as NERC Violation Tracking Identification Number WECC201002044 is a Confirmed Violation, as that term is defined in the NERC Rules of Procedure and the CMEP.

Statement of Findings Underlying the Violation

This NOP incorporates the findings and justifications set forth in the Notice of Confirmed Violation and Proposed Penalty or Sanction (NOCV) issued on September 21, 2010, by Western Electricity Coordinating Council (WECC). The details of the findings and the basis for the

¹ For purposes of this document, each violation at issue is described as a "violation," regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

² *Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards* (Order No. 672), III FERC Stats. & Regs. ¶ 31,204 (2006); *Notice of New Docket Prefix "NP" for Notices of Penalty Filed by the North American Electric Reliability Corporation*, Docket No. RM05-30-000 (February 7, 2008). See also 18 C.F.R. Part 39 (2010). *Mandatory Reliability Standards for the Bulk-Power System*, FERC Stats. & Regs. ¶ 31,242 (2007) (Order No. 693), *reh'g denied*, 120 FERC ¶ 61,053 (2007) (Order No. 693-A). See 18 C.F.R. § 39.7(c)(2).

penalty are set forth in the Disposition Document. This NOP filing contains the basis for approval of this NOP by the NERC Board of Trustees Compliance Committee (BOTCC). In accordance with Section 39.7 of the Commission's Regulations, 18 C.F.R. § 39.7, NERC provides the following summary table identifying each violation of a Reliability Standard at issue in this NOP.

NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Duration	Total Penalty (\$)
NOC-687	WECC201002044	PRC-005-1	2.1	High ³	6/18/07-4/12/10	11,900

The text of the Reliability Standard at issue and further information on the subject violation is set forth in the Disposition Document.

PRC-005-1 R2.1 - OVERVIEW

On April 21, 2010, CDWR submitted a Self-Report⁴ detailing a violation of PRC-005-1 R2.1. WECC determined that CDWR, as a Transmission Owner,⁵ could not provide evidence that its Crafton Hills essential DC system battery bank was maintained and tested within the defined intervals of CDWR's Protection System⁶ maintenance and testing program; nor could CDWR identify the last date the battery bank was tested and maintained.

Statement Describing the Assessed Penalty, Sanction or Enforcement Action Imposed⁷

Basis for Determination

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines and the Commission's July 3, 2008, October 26, 2009 and August 27, 2010 Guidance Orders,⁸ the NERC BOTCC reviewed the NOCV and supporting documentation on February 15, 2011. The NERC BOTCC approved the NOCV and the assessment of an eleven thousand nine-hundred dollar (\$11,900) financial penalty against CDWR based upon WECC's findings and determinations, the NERC BOTCC's review of the applicable requirements of the Commission-

³ PRC-005-1 R2 has a "Lower" Violation Risk Factor (VRF); R2.1 and R2.2 each have a "High" VRF. During a final review of the standards subsequent to the March 23, 2007 filing of the Version 1 VRFs, NERC identified that some standards requirements were missing VRFs; one of these include PRC-005-1 R2.1. On May 4, 2007, NERC assigned PRC-005 R2.1 a "High" VRF. In the Commission's June 26, 2007 Order on Violation Risk Factors, the Commission approved the PRC-005-1 R2.1 "High" VRF as filed. Therefore, the "High" VRF was in effect from June 26, 2007. In the context of this case, WECC determined that the violation related to R2.1, and therefore a "High" VRF is appropriate.

⁴ The Self-Report is dated April 15, 2010.

⁵ CDWR's Self-Report incorrectly states that the violation applies to the Generator Owner function.

⁶ *The NERC Glossary of Terms Used in Reliability Standards* defines Protection System as "Protective relays, associated communication systems, voltage and current sensing devices, station batteries and DC control circuitry."

⁷ See 18 C.F.R § 39.7(d)(4).

⁸ *North American Electric Reliability Corporation*, "Guidance Order on Reliability Notices of Penalty," 124 FERC ¶ 61,015 (2008); *North American Electric Reliability Corporation*, "Further Guidance Order on Reliability Notices of Penalty," 129 FERC ¶ 61,069 (2009); *North American Electric Reliability Corporation*, "Notice of No Further Review and Guidance Order," 132 FERC ¶ 61,182 (2010).

approved Reliability Standards and the underlying facts and circumstances of the violation at issue.

In reaching this determination, the NERC BOTCC considered the following factors:⁹

1. the violation constituted CDWR's second occurrence of violations of the subject NERC Reliability Standards;¹⁰
2. CDWR self-reported the violation;
3. WECC reported that CDWR was cooperative throughout the compliance enforcement process;
4. there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;
5. WECC determined that the violation posed a minimal risk and did not pose a serious or substantial risk to the reliability of the bulk power system (BPS), as discussed in the Disposition Document; and
6. WECC reported that there were no other mitigating or aggravating factors or extenuating circumstances that would affect the assessed penalty.

For the foregoing reasons, the NERC BOTCC believes that the assessed penalty of eleven thousand nine-hundred dollars (\$11,900) is appropriate for the violation and circumstances at issue, and is consistent with NERC's goal to promote and ensure reliability of the BPS.

Pursuant to 18 C.F.R. § 39.7(e), the penalty will be effective upon expiration of the 30 day period following the filing of this NOP with the Commission, or, if the Commission decides to review the penalty, upon final determination by the Commission.

⁹ CDWR did not receive credit for having a compliance program because it was not reviewed by WECC.

¹⁰ CDWR's previous violations of PRC-005-1, which are viewed as the same or similar to the instant violations and were used as an aggravating factor in determining the penalty for CDWR, are identified and addressed in the Disposition Document. CDWR's other violations, which are not viewed as the same or similar to the instant violation, are identified and addressed in the Disposition Document.

Attachments to be included as Part of this Notice of Penalty

The attachments to be included as a part of this NOP are the following documents:

- a) Disposition of Violation, included as Attachment a;
- b) CDWR's Response to the Notice of Alleged Violation and Proposed Penalty or Sanction dated September 8, 2010, included as Attachment b;
- c) CDWR's Self-Report dated April 15, 2010 and submitted April 21, 2010, included as Attachment c;
- d) CDWR's Mitigation Plan MIT-07-2691 dated April 26, 2010 and submitted April 28, 2010, included as Attachment d;
- e) CDWR's Certification of Mitigation Plan Completion dated April 26, 2010 and submitted April 28, 2010, included as Attachment e; and
- f) WECC's Verification of Mitigation Plan Completion dated July 19, 2010, included as Attachment f.

A Form of Notice Suitable for Publication¹¹

A copy of a notice suitable for publication is included in Attachment g.

¹¹ See 18 C.F.R. § 39.7(d)(6).

Notices and Communications

Notices and communications with respect to this filing may be addressed to the following:

<p>Gerald W. Cauley President and Chief Executive Officer David N. Cook* Sr. Vice President and General Counsel North American Electric Reliability Corporation 116-390 Village Boulevard Princeton, NJ 08540-5721 (609) 452-8060 (609) 452-9550 – facsimile david.cook@nerc.net</p> <p>Mark Maher* Chief Executive Officer Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (360) 713-9598 (801) 582-3918 – facsimile Mark@wecc.biz</p> <p>Constance White* Vice President of Compliance Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 883-6885 (801) 883-6894 – facsimile CWhite@wecc.biz</p> <p>Sandy Mooy* Senior Legal Counsel Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 819-7658 (801) 883-6894 – facsimile SMooy@wecc.biz</p>	<p>Rebecca J. Michael* Associate General Counsel for Corporate and Regulatory Matters North American Electric Reliability Corporation 1120 G Street, N.W. Suite 990 Washington, DC 20005-3801 (202) 393-3998 (202) 393-3955 – facsimile rebecca.michael@nerc.net</p> <p>Christopher Luras* Manager of Compliance Enforcement Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 883-6887 (801) 883-6894 – facsimile CLuras@wecc.biz</p> <p>Veronica Hicks* Chief, SWP Power & Risk Office California Department of Water Resources 3310 El Camino Avenue Sacramento, CA 95821 (916) 574-1295 (916) 574-2785 – facsimile veronica@water.ca.gov</p> <p>*Persons to be included on the Commission’s service list are indicated with an asterisk. NERC requests waiver of the Commission’s rules and regulations to permit the inclusion of more than two people on the service list.</p>
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Conclusion

Accordingly, NERC respectfully requests that the Commission accept this NOP as compliant with its rules, regulations and orders.

Respectfully submitted,

Gerald W. Cauley
President and Chief Executive Officer
David N. Cook
Sr. Vice President and General Counsel
North American Electric Reliability Corporation
116-390 Village Boulevard
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(609) 452-8060
(609) 452-9550 – facsimile
david.cook@nerc.net

/s/ Rebecca J. Michael
Rebecca J. Michael
Associate General Counsel for Corporate
and Regulatory Matters
North American Electric Reliability
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Washington, DC 20005-3801
(202) 393-3998
(202) 393-3955 – facsimile
rebecca.michael@nerc.net

cc: California Department of Water Resources
Western Electricity Coordinating Council

Attachments

Attachment a

Disposition of Violation

DISPOSITION OF VIOLATION¹
Dated February 15, 2011

NERC TRACKING NO. **WECC201002044** REGIONAL ENTITY TRACKING NO. **WECC2010-609900** NOC# **NOC-687**

REGISTERED ENTITY **California Department of Water Resources (CDWR)** NERC REGISTRY ID **NCR05047**

REGIONAL ENTITY **Western Electricity Coordinating Council (WECC)**

I. REGISTRATION INFORMATION

ENTITY IS REGISTERED FOR THE FOLLOWING FUNCTIONS (BOTTOM ROW INDICATES REGISTRATION DATE):²

BA	DP	GO	GOP	IA	LSE	PA	PSE	RC	RP	RSG	TO	TOP	TP	TSP
		X	X		X		X		X		X			
		6/17/07	6/17/07		6/17/07		6/17/07		6/17/07		6/17/07			

* VIOLATION APPLIES TO SHADED FUNCTIONS

DESCRIPTION OF THE REGISTERED ENTITY

CDWR is a department within the California Resources Agency. The Department of Water Resources is responsible for the State of California's management and regulation of water usage. CDWR's generation facilities have a peak capacity of over 1,700 MW. Its headquarters are in Sacramento, California.

II. VIOLATION INFORMATION

RELIABILITY STANDARD	REQUIREMENT(S)	SUB-REQUIREMENT(S)	VRF(S)	VSL(S)
PRC-005-1	2	2.1	High³	Lower

¹ For purposes of this document and attachments hereto, each violation at issue is described as a "violation," regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

² CDWR's Self-Report incorrectly states that the violation applies to the Generator Owner function.

³ PRC-005-1 R2 has a "Lower" Violation Risk Factor (VRF); R2.1 and R2.2 each have a "High" VRF. During a final review of the standards subsequent to the March 23, 2007 filing of the Version 1 VRFs, NERC identified that some standards requirements were missing VRFs; one of these include PRC-005-1 R2.1. On May 4, 2007, NERC assigned PRC-005 R2.1 a "High" VRF. In the Commission's June 26, 2007

PURPOSE OF THE RELIABILITY STANDARD AND TEXT OF RELIABILITY STANDARD AND REQUIREMENT(S)/SUB-REQUIREMENT(S)

The purpose statement of PRC-005-1 provides: “To ensure all transmission and generation Protection Systems affecting the reliability of the Bulk Electric System (BES) are maintained and tested.”

PRC-005-1 R2 provides:

Each Transmission Owner and any Distribution Provider that owns a transmission Protection System^[4] and each Generator Owner that owns a generation Protection System shall provide documentation of its Protection System maintenance and testing program and the implementation of that program to its Regional Reliability Organization^[5] on request (within 30 calendar days). The documentation of the program implementation shall include:

R2.1. Evidence Protection System devices were maintained and tested within the defined intervals.

R2.2. Date each Protection System device was last tested/maintained.

(Footnotes added.)

VIOLATION DESCRIPTION

On April 21, 2010, CDWR submitted a Self-Report stating that it had been providing maintenance and testing to the wrong battery bank at the Crafton Hills Pump Station, and thus did not have evidence that it had maintained and tested a Protection System battery bank within a defined interval. CDWR states in the Self-Report that it received a failed battery test report for Crafton Hills Pump Station on April 5, 2010. During an internal review of the battery failure on April 7, 2010, CDWR discovered that its Crafton Hills Pump Station had two battery banks. Previously, the facility was only recognized as having a single battery bank. The CDWR internal review determined that CDWR had previously been testing and tracking the battery bank which serves plant controls, rather than the essential DC system battery bank which serves the Protection Systems. As a result, CDWR could not provide evidence that all Protection System batteries were maintained and

Order on Violation Risk Factors, the Commission approved the PRC-005-1 R2.1 “High” VRF as filed. Therefore, the “High” VRF was in effect from June 26, 2007. In the context of this case, WECC determined that the violation related to R2.1, and therefore a “High” VRF is appropriate.

⁴ *The NERC Glossary of Terms Used in Reliability Standards* defines Protection System as “Protective relays, associated communication systems, voltage and current sensing devices, station batteries and DC control circuitry.”

⁵ Consistent with applicable FERC precedent, the term “Regional Reliability Organization” in this context refers to WECC.

tested within the defined intervals of its Protection System maintenance and testing program and it could not confirm the last date its battery bank was tested or maintained. The essential DC system battery bank involved in this violation was one of 16 CDWR Protection System battery banks, making up roughly six percent of CDWR's Protection System battery banks.

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

WECC determined that the violation posed a minimal risk and did not pose a serious or substantial risk to the reliability of the bulk power system (BPS) because the battery banks were alarmed which helped identify the compliance gap. Additionally, testing completed by CDWR on April 12, 2010 showed that the battery bank was in good working condition. Further, the single battery bank involved in the violation was for a small Hydro Pumping Plant (4.5 MW) on a 115 kV line; representing only 1 of 16 Protection System battery banks operated by CDWR.

IS THERE A SETTLEMENT AGREEMENT YES NO

WITH RESPECT TO THE VIOLATION(S), REGISTERED ENTITY

NEITHER ADMITS NOR DENIES IT (SETTLEMENT ONLY) YES
 ADMITS TO IT YES
 DOES NOT CONTEST IT (INCLUDING WITHIN 30 DAYS) YES

WITH RESPECT TO THE ASSESSED PENALTY OR SANCTION, REGISTERED ENTITY

ACCEPTS IT/ DOES NOT CONTEST IT YES

III. DISCOVERY INFORMATION

METHOD OF DISCOVERY

SELF-REPORT
 SELF-CERTIFICATION
 COMPLIANCE AUDIT
 COMPLIANCE VIOLATION INVESTIGATION
 SPOT CHECK
 COMPLAINT
 PERIODIC DATA SUBMITTAL
 EXCEPTION REPORTING

DURATION DATE(S) **6/18/07 (when the Standard became mandatory and enforceable) through 4/12/10 (Mitigation Plan completion)**

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY **4/21/10⁶**IS THE VIOLATION STILL OCCURRING YES NO
IF YES, EXPLAINREMEDIAL ACTION DIRECTIVE ISSUED YES NO
PRE TO POST JUNE 18, 2007 VIOLATION YES NO **IV. MITIGATION INFORMATION**

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO. **MIT-07-2691**
DATE SUBMITTED TO REGIONAL ENTITY **4/28/10⁷**
DATE ACCEPTED BY REGIONAL ENTITY **7/2/10**
DATE APPROVED BY NERC **8/19/10**
DATE PROVIDED TO FERC **8/20/10**

IDENTIFY AND EXPLAIN ALL PRIOR VERSIONS THAT WERE ACCEPTED OR REJECTED, IF APPLICABLE

MITIGATION PLAN COMPLETED YES NO EXPECTED COMPLETION DATE **Submitted as complete**
EXTENSIONS GRANTED
ACTUAL COMPLETION DATE **4/12/10**DATE OF CERTIFICATION LETTER **4/26/10**
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **4/12/10**DATE OF VERIFICATION LETTER **7/19/10**
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **4/12/10**

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

The essential DC system battery bank for Crafton Hills was added to the battery testing tracking sheet. CDWR completed an inventory of all Protection Systems battery locations to identify if there were any other location where they had incorrectly identified battery systems. CDWR reported that Crafton Hills was the only location that had this type of two battery systems. As evidence of Mitigation Plan completion, CDWR⁶ The Self-Report is dated April 15, 2010.⁷ The Mitigation Plan is dated April 26, 2010.

submitted monthly, quarterly and annual battery test reports for the Crafton Hills facility. CDWR completed the Mitigation Plan on April 12, 2010, with the completion of monthly testing and quarterly tests on the Crafton Hills battery bank.

LIST OF EVIDENCE REVIEWED BY REGIONAL ENTITY TO EVALUATE COMPLETION OF MITIGATION PLAN (FOR CASES IN WHICH MITIGATION IS NOT YET COMPLETED, LIST EVIDENCE REVIEWED FOR COMPLETED MILESTONES)

- **Crafton Hills facility monthly, quarterly and annual battery test reports dated December 31, 2009, April 1, 2010 and April 12, 2010**

V. PENALTY INFORMATION

TOTAL ASSESSED PENALTY OR SANCTION OF **\$11,900** FOR ONE VIOLATION OF RELIABILITY STANDARDS.

(1) REGISTERED ENTITY'S COMPLIANCE HISTORY

PREVIOUSLY FILED VIOLATIONS OF ANY OF THE INSTANT RELIABILITY STANDARD(S) OR REQUIREMENT(S) THEREUNDER
YES NO

LIST VIOLATIONS AND STATUS

On September 13, 2010, NERC submitted an Omnibus II filing under NP10-160-000 which addressed violations for certain registered entities included violations of PRC-005-1 R1 and R2 for CDWR (NOC-509). On October 13, 2010, FERC issued an order stating it would not engage in further review of the Omnibus II Notice of Penalty.

ADDITIONAL COMMENTS

WECC considered this violation was CDWR's second assessed violation of this Standard. Both violations relate to a failure to document maintenance and testing for batteries used in its Protection Systems. WECC considered this an aggravating factor in its penalty determination.

PREVIOUSLY FILED VIOLATIONS OF OTHER RELIABILITY STANDARD(S) OR REQUIREMENTS THEREUNDER

YES NO

LIST VIOLATIONS AND STATUS

On October 14, 2009, NERC submitted an Omnibus filing under NP10-2-000 which addressed violations for certain registered entities including violations of FAC-003-0 R1, R2, and R3, and FAC-008-0 R1 for CDWR (NOC-284). On November 13, 2009, FERC issued an order stating it would not engage in further review of the Omnibus Notice of Penalty.

ADDITIONAL COMMENTS

WECC determined that these prior violations should not serve as a basis for aggravating the penalty because they involved standards that are not the same or similar to the instant standard.

(2) THE DEGREE AND QUALITY OF COOPERATION BY THE REGISTERED ENTITY (IF THE RESPONSE TO FULL COOPERATION IS "NO," THE ABBREVIATED NOP FORM MAY NOT BE USED.)

FULL COOPERATION IF NO, EXPLAIN YES NO

(3) THE PRESENCE AND QUALITY OF THE REGISTERED ENTITY'S COMPLIANCE PROGRAM

IS THERE A DOCUMENTED COMPLIANCE PROGRAM YES NO UNDETERMINED

EXPLAIN

CDWR did not receive credit for having a compliance program because it was not reviewed by WECC.

EXPLAIN SENIOR MANAGEMENT'S ROLE AND INVOLVEMENT WITH RESPECT TO THE REGISTERED ENTITY'S COMPLIANCE PROGRAM, INCLUDING WHETHER SENIOR MANAGEMENT TAKES ACTIONS THAT SUPPORT THE COMPLIANCE PROGRAM, SUCH AS TRAINING, COMPLIANCE AS A FACTOR IN EMPLOYEE EVALUATIONS, OR OTHERWISE.

See above.

(4) ANY ATTEMPT BY THE REGISTERED ENTITY TO CONCEAL THE VIOLATION(S) OR INFORMATION NEEDED TO REVIEW, EVALUATE OR INVESTIGATE THE VIOLATION.

YES NO
IF YES, EXPLAIN

(5) ANY EVIDENCE THE VIOLATION(S) WERE INTENTIONAL (IF THE RESPONSE IS "YES," THE ABBREVIATED NOP FORM MAY NOT BE USED.)

YES NO
IF YES, EXPLAIN

(6) ANY OTHER MITIGATING FACTORS FOR CONSIDERATION

YES NO
IF YES, EXPLAIN

(7) ANY OTHER AGGRAVATING FACTORS FOR CONSIDERATION

YES NO
IF YES, EXPLAIN

(8) ANY OTHER EXTENUATING CIRCUMSTANCES

YES NO
IF YES, EXPLAIN

EXHIBITS:

SOURCE DOCUMENT

Self-Report dated April 15, 2010 and submitted April 21, 2010

MITIGATION PLAN

Mitigation Plan MIT-07-2691 dated April 26, 2010 and submitted April 28, 2010

CERTIFICATION BY REGISTERED ENTITY

Certification of Mitigation Plan Completion dated April 26, 2010 and submitted April 28, 2010

VERIFICATION BY REGIONAL ENTITY

WECC's Verification of Mitigation Plan Completion dated July 19, 2010

OTHER RELEVANT INFORMATION:

NOTICE OF ALLEGED VIOLATION AND PROPOSED PENALTY OR SANCTION ISSUED

DATE: **8/12/10** OR N/A

SETTLEMENT DISCUSSIONS COMMENCED

DATE: OR N/A

NOTICE OF CONFIRMED VIOLATION ISSUED

DATE: **9/21/10** OR N/A

SUPPLEMENTAL RECORD INFORMATION

DATE(S) OR N/A

REGISTERED ENTITY RESPONSE CONTESTED

FINDINGS PENALTY BOTH DID NOT CONTEST

HEARING REQUESTED

YES NO

DATE

OUTCOME

APPEAL REQUESTED

Attachment b

CDWR's Response to the Notice of Alleged Violation and Proposed Penalty or Sanction dated September 8, 2010

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791

**SEP 08 2010**

Ms. Constance B. White
Vice President of Compliance
Western Electricity Coordinating Council
155 North 400 West, Suite 200
Salt Lake City, Utah 84103

Re: Notice of Alleged Violation and Proposed Penalty or Sanction
Registry ID #: NCR05047
NERC Violation #: WECC201002044; WECC Violation #: WECC2010-609900

Dear Ms. White:

The California Department of Water Resources, a State of California governmental agency, with respect to the State Water Resources Development System (State Water Project), and separate and apart from its powers and responsibilities pursuant to California Water Code, Section 80000 (hereinafter SWP), is in receipt of the Western Electricity Coordinating Council's (WECC) Notice of Alleged Violation (NOAV) and Proposed Penalty or Sanction dated August 12, 2010.

PLEASE TAKE NOTICE: Pursuant to Section 5.2 of the Compliance Monitoring and Enforcement Program (CMEP), SWP hereby notifies WECC of its election to accept WECC's Alleged Violation and Proposed Penalty. The SWP will not contest either the Alleged Violation or the Proposed Penalty.

On April 28, 2010, SWP submitted a Mitigation Plan as well as a Certificate of Mitigation Plan Completion. On July 19, 2010, WECC accepted the Mitigation Plan and the Certificate of Completion of Mitigation Plan. On August 19, 2010, the North American Electric Reliability Corporation (NERC) approved the Mitigation Plan. On August 20, 2010, NERC submitted the Mitigation Plan to the Federal Energy Regulatory Commission.

The SWP understands that its election to accept WECC's Alleged Violation and Proposed Penalty fully resolves all issues and liabilities regarding SWP's compliance with PRC-005-1, R2.1 as described in the NOAV. The SWP also understands that, pursuant to Section 5.2 of the CMEP, the SWP will receive a final report of Confirmed Violation and that it maintains the right to provide a written explanatory statement to accompany the final report.

The SWP expressly reserves all rights, objections, and claims it may otherwise have.

Please direct any questions regarding this matter to me at (916) 574-1295.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Veronica Hicks".

Veronica Hicks, Chief
State Water Project Power and Risk Office
Chief Compliance Officer
California Department of Water Resources

Attachment c

**CDWR's Self-Report dated April 15, 2010 and
submitted April 21, 2010**



Self-Reporting Form

Date Submitted by Registered Entity: April 15, 2010

NERC Registry ID: NCR05047

Joint Registration Organization (JRO) ID:

Registered Entity: California Department of Water Resources (CDWR)

Registered Entity Contact: Veronica Hicks

Function(s) Applicable to Self-Report:

- BA TOP TO GO GOP LSE
- DP PSE TSP PA RP TP
- RSG RC IA

Standard: PRC-005-1

Requirement: R2

Has this violation previously been reported or discovered: Yes No

If Yes selected: Provide NERC Violation ID (if known):

Date violation occurred: February 26, 2010

Date violation discovered: April 7, 2010

Is the violation still occurring? Yes No

Detailed explanation and cause of violation:

CDWR Headquarters received a failed battery test report for Crafton Hills Pump Station on April 5, 2010 and reviewed the report on April 6, 2010. In the process of investigating the battery failure on April 7, 2010, it was discovered that there are actually two battery banks at Crafton Hills and the wrong battery bank was being tested and tracked. The essential power systems and battery configuration at Crafton Hills are non-standard and are different from that at all other auditable plants.

All auditable plants other than Crafton Hills use a typical DC distribution system where the essential DC supply powers the breaker trip coils through relay contacts or protection system control circuitry. The battery banks are a component of the essential DC supply. They are tested and maintained so that DC power is available to the protection system in the event that all other sources of power fail. This is to ensure that breakers operate reliably



Western Electricity Coordinating Council

with appropriate sensitivity and selectivity for protection of the plant and the BPS in all plant operating modes.

At Crafton Hills, there is an essential AC system in addition to the essential DC system. In the essential AC system, an inline UPS conditions AC power and provides a small battery backup for switching and seamless transition to the SEG on loss of power. The essential AC system at Crafton Hills serves plant controls, not plant protection. While it does supply power to microprocessor protective relays, a supervising under-voltage relay shuts down the plant on loss of normal AC power combined with UPS failure. Plant design does not allow operation of the plant on loss of power to protective relays. The essential AC system UPS battery is not auditable because it does not provide power to the breaker trip coils for reliable operation of the protection system. This battery bank that is a component of the essential DC supply provides this function and therefore is auditable. The essential AC system battery is the one that was being tested, but the essential DC system battery is the one that should have been tested.

The essential DC system battery bank for Crafton Hills has been added to the battery testing tracking sheet and all required testing was completed on April 12, 2010. This brings testing of CDWR protection system devices back up to date, as per the CDWR policies.

Potential Impact to the Bulk Power System (minimal, moderate, or severe): minimal

Detailed explanation of Potential Impact: The potential impact to the BPS was minimal because Crafton Hills is a very small 4.5 MW hydro pumping plant on a 115 kV transmission line.

Additional Comments:

The question above that asks "Has this violation previously been reported or discovered?" is unclear. CDWR had not previously reported or discovered that the incorrect battery bank was being tested at Crafton Hills. However, CDWR did previously file a Self-Report and Mitigation Plans for having other protection system components that were not being tested as required by this Standard.

The date of February 26, 2010 was used as the date the violation occurred because, up until that date, CDWR was working under Mitigation Plans for this requirement. The Mitigation Plan Completion was filed by CDWR on February 26, 2010 and was accepted by WECC on March 8, 2010.

***NOTE:** While submittal of a mitigation plan is not required until after a determination of a violation is confirmed, early submittal of a mitigation plan to address and remedy an identified deficiency is encouraged. Submittal of a mitigation plan shall not be deemed an admission of a violation. (See NERC Rules of Procedure, Appendix 4C, Section 6.4.)*

Attachment d

**CDWR's Mitigation Plan MIT-07-2691 dated April 26,
2010 and submitted April 28, 2010**



Mitigation Plan Submittal Form

New or Revised

Date this Mitigation Plan is being submitted: April 26, 2010

If this Mitigation Plan has already been completed:

- Check this box and
- Provide the Date of Completion of the Mitigation Plan: April 12, 2010
- Submit Certification of Mitigation Plan Completion Form
- Submit evidence supporting Mitigation Plan completion

Section A: Compliance Notices & Mitigation Plan Requirements

- A.1 Notices and requirements applicable to Mitigation Plans and this Submittal Form are set forth in "Attachment A - Compliance Notices & Mitigation Plan Requirements" to this form. **Review Attachment A and check this box to indicate that you have reviewed and understand the information provided therein.** This Submittal Form and the Mitigation Plan submitted herein are incomplete and cannot be accepted unless the box is checked.

Section B: Registered Entity Information

- B.1 Identify your organization:

Registered Entity Name: California Department of Water Resources
(CDWR)

Registered Entity Address: 3310 El Camino Avenue, Suite 305,
Sacramento, CA 95821

NERC Compliance Registry ID: NCR05047

- B.2 Identify the individual in your organization who will be the Entity Contact regarding this Mitigation Plan. Please see Section 6.2 of the WECC Compliance Monitoring and Enforcement Program (CMEP) for a description of the qualifications required of the Entity Contact.¹

¹ A copy of the WECC CMEP is posted on WECC's website at:

<http://compliance.wecc.biz/Application/Documents/Home/20090101%20-%20CMEP.pdf>.

Registered Entities are responsible for following all applicable WECC CMEP procedures. WECC strongly recommends that registered entities become familiar with the WECC CMEP and its requirements, as they may be amended from time to time.



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Name: Veronica Hicks
 Title: Chief, SWP Power & Risk Office
 Email: veronica@water.ca.gov
 Phone: 916 574-1295

Section C: Identity of Alleged or Confirmed Reliability Standard Violations Associated with this Mitigation Plan

This Mitigation Plan is associated with the alleged or confirmed violation(s) of the reliability standard/requirements listed below:

C.1 Standard: PRC-005-1
[Identify by Standard Acronym (e.g. FAC-001-1)]

C.2 Requirement(s) violated and violation dates:
[Enter information in the following Table]

NERC Violation ID # [if known]	WECC Violation ID # [if known]	Requirement Violated (e.g. R3)	Violation Risk Factor	Alleged or confirmed Violation Date ^(*) (MM/DD/YY)	Method of Detection (e.g. audit, self-report, investigation)
		R2		2/26/10	self-report

(*) Note: The Alleged or Confirmed Violation Date shall be: (i) the date the violation occurred; (ii) the date that the violation was self-reported; or (iii) the date upon which WECC has deemed the violation to have occurred. Please contact WECC if you have questions regarding which date to use.

C.3 Identify the cause of the alleged or confirmed violation(s) identified above:

CDWR submits this Mitigation Plan to address the issues identified in the Self-Report. As per the NERC Rules of Procedure, Appendix 4C, Section 6.4, DWR is submitting this Mitigation Plan even though on the Self-Report it states that a Mitigation Plan is not required until after a determination of a violation is confirmed by WECC and that early submittal of a Mitigation Plan to address and remedy an identified deficiency is encouraged. Therefore until confirmed by WECC, this Mitigation Plan shall not be deemed or construed as an



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admission of CDWR that violations occurred. CDWR is committed to compliance with and adherence to the Reliability Standards.

CDWR Headquarters received a failed battery test report for Crafton Hills Pump Station on April 5, 2010 and reviewed the report on April 6, 2010. In the process of investigating the battery failure on April 7, 2010, it was discovered that there are actually two battery banks at Crafton Hills and the wrong battery bank was being tested and tracked. The essential power systems and battery configuration at Crafton Hills are non-standard and are different from that at all other auditable plants.

All auditable plants other than Crafton Hills use a typical DC distribution system where the essential DC supply powers the breaker trip coils through relay contacts or protection system control circuitry. The battery banks are a component of the essential DC supply. They are tested and maintained so that DC power is available to the protection system in the event that all other sources of power fail. This is to ensure that breakers operate reliably with appropriate sensitivity and selectivity for protection of the plant and the BES in all plant operating modes.

At Crafton Hills, there is an essential AC system in addition to the essential DC system. In the essential AC system, an inline UPS conditions AC power and provides a small battery backup for switching and seamless transition to the SEG on loss of power. The essential AC system at Crafton Hills serves plant controls, not plant protection. While it does supply power to microprocessor protective relays, a supervising under-voltage relay shuts down the plant on loss of normal AC power combined with UPS failure. Plant design does not allow operation of the plant on loss of power to protective relays. The essential AC system UPS battery is not auditable because it does not provide power to the breaker trip coils for reliable operation of the protection system. The battery bank that is a component of the essential DC supply provides this function and therefore is auditable. The essential AC system battery is the one that was being tested and tracked, but the essential DC system battery is the one that should have been tested and tracked.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

C.4 [Optional] Provide any relevant additional information regarding the alleged or confirmed violations associated with this Mitigation Plan:

CDWR submits this Mitigation Plan to address the issues identified in the Self-Report. As per the NERC Rules of Procedure, Appendix 4C, Section 6.4, DWR is submitting this Mitigation Plan even though on the Self-Report it states that a Mitigation Plan is not required until after a determination of a violation is



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confirmed by WECC and that early submittal of a Mitigation Plan to address and remedy an identified deficiency is encouraged. Therefore until confirmed by WECC, this Mitigation Plan shall not be deemed or construed as an admission of CDWR that violations occurred. CDWR is committed to compliance with and adherence to the Reliability Standards.

The date of February 26, 2010 was used as the date the violation occurred because, up until that date, CDWR was working under Mitigation Plans for this requirement. A Mitigation Plan Completion was filed by CDWR on February 26, 2010 and was accepted by WECC on March 8, 2010.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Section D: Details of Proposed Mitigation Plan

Mitigation Plan Contents

- D.1 Identify and describe the action plan, including specific tasks and actions that your organization is proposing to undertake, or which it undertook if this Mitigation Plan has been completed, to correct the violations identified above in Part C.2 of this form:

CDWR submits this Mitigation Plan to address the issues identified in the Self-Report. As per the NERC Rules of Procedure, Appendix 4C, Section 6.4, DWR is submitting this Mitigation Plan even though on the Self-Report it states that a Mitigation Plan is not required until after a determination of a violation is confirmed by WECC and that early submittal of a Mitigation Plan to address and remedy an identified deficiency is encouraged. Therefore until confirmed by WECC, this Mitigation Plan shall not be deemed or construed as an admission of CDWR that violations occurred. CDWR is committed to compliance with and adherence to the Reliability Standards.

The essential DC system battery bank for Crafton Hills has been added to the battery testing tracking sheet. All required testing of the Crafton Hills DC battery bank was completed by April 12, 2010, and the testing showed the batteries were in good working condition. CDWR confirmed that no other auditable plants have this non-standard battery configuration. This brings testing of CDWR protection system devices up to date, as per the CDWR policies.



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[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Check this box and proceed to Section E of this form if this Mitigation Plan, as set forth in Part D.1, has already been completed; otherwise respond to Part D.2, D.3 and, optionally, Part D.4, below.

Mitigation Plan Timeline and Milestones

D.2 Provide the timetable for completion of the Mitigation Plan, including the completion date by which the Mitigation Plan will be fully implemented and the alleged or confirmed violations associated with this Mitigation Plan corrected:

D.3 Enter Milestone Activities, with completion dates, that your organization is proposing for this Mitigation Plan:

Milestone Activity	Proposed Completion Date* (milestones cannot be more than 3 months apart)

(* Note: Implementation milestones should be no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. As set forth in CMEP section 6.6, adverse consequences could result from failure to complete, on a timely basis, all required actions in this Mitigation Plan, including implementation of milestones. A request for an extension of the completion date of any milestone or of the Mitigation Plan must be received by WECC at least five (5) business days before the relevant milestone or completion date.

[Note: Provide your response here; additional detailed information may be provided as an attachment as necessary]

Additional Relevant Information (Optional)

D.4 If you have any relevant additional information that you wish to include regarding the Mitigation Plan, milestones, milestones dates and completion date proposed above you may include it here:



[Provide your response here; additional detailed information may be provided as an attachment as necessary]



Section E: Interim and Future Reliability Risk

Check this box and proceed and respond to Part E.2, below, if this Mitigation Plan, as set forth in Part D.1, has already been completed.

Abatement of Interim BPS Reliability Risk

- E.1 While your organization is implementing the Mitigation Plan proposed in Part D of this form, the reliability of the Bulk Power System may remain at higher risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are known, reasonably suspected or anticipated: (i) identify any such risks or impacts; and (ii) discuss any actions that your organization is planning to take or is proposing as part of the Mitigation Plan to mitigate any increased risk to the reliability of the bulk power system while the Mitigation Plan is being implemented:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Prevention of Future BPS Reliability Risk

- E.2 Describe how successful completion of the Mitigation Plan as laid out in Part D of this form will prevent or minimize the probability that your organization will incur further violations of the same or similar reliability standards requirements in the future:

CDWR submits this Mitigation Plan to address the issues identified in the Self-Report. As per the NERC Rules of Procedure, Appendix 4C, Section 6.4, DWR is submitting this Mitigation Plan even though on the Self-Report it states that a Mitigation Plan is not required until after a determination of a violation is confirmed by WECC and that early submittal of a Mitigation Plan to address and remedy an identified deficiency is encouraged. Therefore until confirmed by WECC, this Mitigation Plan shall not be deemed or construed as an admission of CDWR that violations occurred. CDWR is committed to compliance with and adherence to the Reliability Standards.

CDWR confirmed that no other auditable plants have this non-standard battery configuration. If any additional plants are determined to be auditable in the



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future, a careful review of the battery system will be conducted to ensure that the auditable batteries are correctly identified.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

- E.3 Your organization may be taking or planning other action, beyond that listed in the Mitigation Plan, as proposed in Part D.1, to prevent or minimize the probability of incurring further violations of the same or similar standards requirements listed in Part C.2, or of other reliability standards. If so, identify and describe any such action, including milestones and completion dates:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]



Section F: Authorization

An authorized individual must sign and date this Mitigation Plan Submittal Form. By doing so, this individual, on behalf of your organization:

- a) Submits the Mitigation Plan, as laid out in Section D of this form, to WECC for acceptance by WECC and approval by NERC, and
- b) If applicable, certifies that the Mitigation Plan, as laid out in Section D of this form, was completed (i) as laid out in Section D of this form and (ii) on or before the date provided as the 'Date of Completion of the Mitigation Plan' on this form, and
- c) Acknowledges:
 1. I am [Chief] of [State Water Project Power and Risk Office]].
 2. I am an officer, employee, attorney or other person authorized to sign this Mitigation Plan on behalf of [California Department of Water Resources (CDWR)].
 3. I understand [CDWR's] obligations to comply with Mitigation Plan requirements and WECC or ERO remedial action directives and I have reviewed the WECC and ERO documents related to these obligations, including, but not limited to, the WECC CMEP and the NERC Rules of Procedure.
 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
 5. [CDWR] agrees to be bound by, and comply with, the Mitigation Plan, including the timetable completion date, as approved by WECC and approved by NERC.

Authorized Signature: _____

(Electronic signatures are acceptable; see CMEP Section 3.0)

Name (Print): Veronica Hicks
 Title: Chief, SWP Power and Risk Office
 Date: 4/26/10



Section G: Comments and Additional Information

You may use this area to provide comments or any additional relevant information not previously addressed in this form.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Section H: WECC Contact and Instructions for Submission

Please direct any questions regarding completion of this form to:

Mike Wells, Sr. Compliance Engineer

Email: mike@wecc.biz

Phone: (801) 883-6884

For guidance on submitting this form, please refer to the "WECC Compliance Data Submittal Policy". This policy can be found on the WECC Compliance Website at:

<http://compliance.wecc.biz/Application/Documents/Forms/WECC%20Compliance%20Data%20Submittal%20Policy.pdf>



Attachment A – Compliance Notices & Mitigation Plan Requirements

- I. Section 6.2 of the WECC CMEP sets forth the information that must be included in a Mitigation Plan. The Mitigation Plan must include:
 - (1) The Registered Entity's point of contact for the Mitigation Plan, who shall be a person (i) responsible for filing the Mitigation Plan, (ii) technically knowledgeable regarding the Mitigation Plan, and (iii) authorized and competent to respond to questions regarding the status of the Mitigation Plan. This person may be the Registered Entity's point of contact described in Section 2.0.
 - (2) The Alleged or Confirmed Violation(s) of Reliability Standard(s) the Mitigation Plan will correct.
 - (3) The cause of the Alleged or Confirmed Violation(s).
 - (4) The Registered Entity's action plan to correct the Alleged or Confirmed Violation(s).
 - (5) The Registered Entity's action plan to prevent recurrence of the Alleged or Confirmed violation(s).
 - (6) The anticipated impact of the Mitigation Plan on the bulk power system reliability and an action plan to mitigate any increased risk to the reliability of the bulk power-system while the Mitigation Plan is being implemented.
 - (7) A timetable for completion of the Mitigation Plan including the completion date by which the Mitigation Plan will be fully implemented and the Alleged or Confirmed Violation(s) corrected.
 - (8) Implementation milestones no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission.
 - (9) Any other information deemed necessary or appropriate.
 - (10) The Mitigation Plan shall be signed by an officer, employee, attorney or other authorized representative of the Registered Entity, which if applicable, shall be the person that signed the Self-Certification or Self Reporting submittals.
- II. This submittal form may be used to provide a required Mitigation Plan for review and approval by WECC and NERC.



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- III. The Mitigation Plan shall be submitted to the WECC and NERC as confidential information in accordance with Section 9.3 of the WECC CMEP and Section 1500 of the NERC Rules of Procedure.
- IV. This Mitigation Plan form may be used to address one or more related Alleged or Confirmed Violations of one Reliability Standard. A separate Mitigation Plan is required to address violations with respect to each additional Reliability Standard, as applicable.
- V. If the Mitigation Plan is approved by WECC and NERC, a copy of the Mitigation Plan will be provided to the Federal Energy Regulatory Commission in accordance with applicable Commission rules, regulations and orders.
- VI. Either WECC or NERC may reject a Mitigation Plan that it determines to be incomplete or inadequate. If the Mitigation Plan is rejected by either WECC or NERC, the Registered Entity will be notified and required to submit a revised Mitigation Plan.
- VII. In accordance with Section 7.0 of the WECC CMEP, remedial action directives also may be issued as necessary to ensure reliability of the bulk power system.

Attachment e

**CDWR's Certification of Mitigation Plan Completion
dated April 26, 2010 and submitted April 28, 2010**



Western Electricity Coordinating Council

Non-Public and CONFIDENTIAL

Certification of Mitigation Plan Completion Form

Submittal of a Certification of Mitigation Plan Completion shall include data or information sufficient for Western Electricity Coordinating Council (WECC) to verify completion of the Mitigation Plan. WECC may request additional data or information and conduct follow-up assessments, on-site or other Spot Checking, or Compliance Audits as it deems necessary to verify that all required actions in the Mitigation Plan have been completed and the Registered Entity is in compliance with the subject Reliability Standard. (CMEP Section 6.6)

Registered Entity: California Department of Water Resources (CDWR)

NERC Registry ID: NCR05047

Date of Submittal of Certification: April 26, 2010

NERC Violation ID No(s) (if known):

Standard: PRC-005-1

Requirement(s): R2

Date Mitigation Plan was scheduled to be completed per accepted Mitigation Plan:
Mitigation Plan is being submitted as completed

Date Mitigation Plan was actually completed: April 12, 2010

Additional Comments (or List of Documents Attached):

A Self-Report was submitted on April 15, 2010. The mitigation was already completed at the time the Self-Report was submitted.

Documents included with this submittal -

Mitigation Plan Submittal Form
Crafton Hills Battery Test Reports



Non-Public and CONFIDENTIAL

Western Electricity Coordinating Council

I certify that the Mitigation Plan for the above named violation has been completed on the date shown above and that all submitted information is complete and correct to the best of my knowledge.

Name: Veronica Hicks

Title: Chief, SWP Power & Risk Office

Email: veronica@water.ca.gov

Phone: 916 574-1295

Authorized Signature:

A handwritten signature in black ink, appearing to read 'Veronica Hicks'. The signature is written in a cursive, flowing style.

Date: 4/26/10

Attachment f

WECC's Verification of Mitigation Plan Completion dated July 19, 2010

CONFIDENTIAL



Western Electricity Coordinating Council

Laura Scholl
Managing Director of Compliance

801-819-7619
lscholl@wecc.biz

VIA COMPLIANCE WEB PORTAL

July 19, 2010

Veronica Hicks
Chief, SWP Power & Risk Office
California Department of Water Resources
3310 El Camino Avenue
Sacramento, California 95821

NERC Registration ID: NCR05047
NERC Violation ID: Not Yet Assigned

Subject: Notice of Mitigation Plan and Completed Mitigation Plan Acceptance
Reliability Standard PRC-005-1 Requirement 2.1

Dear Veronica,

The Western Electricity Coordinating Council (WECC) received the Mitigation Plan and the Certification of Mitigation Plan Completion submitted by California Department of Water Resources (CDWR) for the alleged violation of Reliability Standard PRC-005-1 Requirement 2.1 on 4/28/2010. After thorough review, WECC accepted the Mitigation Plan and the Certification of Mitigation Plan Completion.

If you have any questions or concerns, please contact Mary Rieger at mrieger@wecc.biz.

Sincerely,

Laura Scholl
Managing Director of Compliance

LS:rph

cc: Debbie Jo Terzoli, CDWR WECC Compliance Coordinator
John McGhee, WECC Director of Audits and Investigations
Chris Luras, WECC Manager of Compliance Enforcement
Mary Rieger, WECC Compliance Engineer

Attachment g

Notice of Filing

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

California Department of Water Resources

Docket No. NP11-____-000

NOTICE OF FILING
March 30, 2011

Take notice that on March 30, 2011, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty regarding California Department of Water Resources in the Western Electricity Coordinating Council region.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, D.C. There is an "eSubscription" link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: [BLANK]

Kimberly D. Bose,
Secretary